

STATE OF MONTANA

PERSONALLY IDENTIFIABLE INFORMATION

A. INTRODUCTION

I understand that as an employee of the State of Montana, I may have access to several categories of confidential data and information. This data and information may be generated by me or provided to me by others regarding individuals and entities in either oral and written form through a variety of communication mediums, including during in-person or telephonic conversations, by electronic or paper documentation, or by other means during interactions with others from within the State, from other agencies, or with individuals or entities outside of state government. I understand the importance of maintaining the confidentiality of this data and information to protect the privacy rights of individuals and entities, including employees and the general public, and to protect the State and me from possible liability, penalties, and criminal charges for unlawful disclosure. Because of these responsibilities, I understand the need for reading and understanding this Acknowledgement.

B. CONFIDENTIAL EMPLOYEE DATA AND INFORMATION

I understand the following:

1. I may have access to Confidential Employee Data and Information. That information may include, but is not limited to:
 - a. Personal employee information, including a person's address, telephone number, email address, social security number, driver's license number, bank and credit card information, health information, and other identifying information. Although an employee's first and last name is not generally considered confidential, there may be circumstances when an employee's first and last name may be confidential based upon the sensitive nature of their position.
 - b. Race, sex, marital status, disability, other demographic information.
 - c. Medical records, personal health information including information regarding enrollment in a benefit plan and all information designated as PHI protected under HIPAA, the ADA, or FMLA. Personally identifiable information (PII), such as name, date of birth, or social security number, becomes personal health information to be protected under HIPAA when the PII is combined with the individual's past, present, or future physical or mental health or condition; the provision of health care to the individual; or past, present, or future payment for the provision of health care to the individual.
 - d. Genetic information protected under Genetic Information Nondiscrimination Act.
 - e. Individual tax and financial information, except state employees' salary or wage information and leave information is not protected. The reason for sick leave is protected.

- f. Pre-employment information, including resumes, applications, reference checks, background checks, credit reports provided according to Fair Credit Reporting Act, question responses, and evaluation notes.
 - g. Accident reports and workers' compensation claims.
 - h. I-9 forms.
 - i. Performance appraisals.
 - j. Disciplinary actions and investigation reports, non-public litigation, audit and inquiry information.
 - k. Computer system passwords and security codes.
 - l. Attorney-client communications and attorney work product.
 - m. Any other information that is designated or marked as confidential by contract or non-disclosure agreements.
- 2. Individuals may have an expectation of privacy in this Confidential Employee Data and Information.
- 3. I shall maintain the confidentiality of this data and information, and I may be subject to discipline up to and including termination of employment if I fail to do so.